IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

MACA.No. 1444 of 2007

OPMV.677/1998 of MOTOR ACCIDENT CLAIMS TRIBUNAL, ALAPPUZHA
.....

APPELLANT/PETITIONER

JANCY, AGED 34 YEARS,
W/O AUGUSTINE, PALLIPARAMBIL VEETIL,
WARD NO.7, AROOR, CHERTHALA, ALAPPUZHA.

BY ADV. SRI.C.V.MANUVILSAN

RESPONDENTS: RESPONDENTS
---

1. JACOB JOHNSON, S/O PAPPACHAN,
EB NAZER HOUSE, HOUSE NO.1130,
WARD NO.44, KOCHI-17.

2. THE NATIONAL INSURANCE COMPANY LTD.,
REPRESENTED BY THE SUB DIVISIONAL MANAGER,
BHAVAN HOSPITAL ROAD, QUILON.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY PASSED THEFOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

- -

C.M.Appl.No.1397 OF 2007 &
M.A.C.A.No.1444 OF 2007

- -

Dated this the 18th day of September, 2007

JUDGMENT

Radhakrishnan, J

There is a delay of 667 days in filing this appeal. We have gone through the affidavit filed in support of the petition for condonation of delay.

2. The award was passed on 7.2.05. Tribunal awarded an amount of Rs.40,000/- as compensation. Counsel had received copy of the order only on 2.8.05, but the petitioner say that she came to know about the same only recently, and that she was bed ridden on account of acute Asthma and hence, she could not file appeal against the impugned order in time. No materials have been furnished to establish those contentions.

We are of the view that sufficient grounds have not been made out to condone the delay. In such circumstances, both the petition to condone the delay and the appeal stand dismissed.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

jes